Application/Control Number: 09/901,317
Art Unit: 2143

Docket No.: 2000-0280Con

## REMARKS

Reconsideration and allowance are requested. Claims 1 - 24 are pending and no claims are amended.

**Rejection of Claims 1 - 24 Under Section 102**

The Examiner rejects claims 1 - 24 under section 102 as being anticipated by U.S. Patent No. 6,578,066 to Logan et al. ("Logan et al."). Applicant traverses this rejection and submits that Logan et al. fail to teach each claim limitation.

We first turn to claim 1. This claim recites a method of redirecting content requests between content distribution networks. The method comprises (1) choosing from a plurality of content distribution networks which content distribution network will respond to a content request from a client; and (2) redirecting the client to the chosen content distribution network so that the content request will be served by the chosen content distribution network. Applicant traverses the Examiner and respectfully submits that Logan et al. fail to teach each claim limitation.

The Examiner asserts that column 5, lines 38 - 44 teach the second limitation of redirecting the client to the chosen content distribution network. Applicant submits that they actually teach away from this limitation in this column of Logan et al. because this portion of the reference deals with what happens when the server switch that the client has been pointed to suddenly experiences a failure or is overloaded. In such a case, Logan et al. teach commanding the client to go to a different server switch in an "HTTP redirect" command. This differs from the present invention because the present invention requires that the content redistribution network to which the client is redirected be the content distribution network chosen to respond to the content request from a client. In column 5, the client is pointed to a chosen network to respond to a content request, but the "HTTP redirect" command, which

issues due to a failure of a switch, redirects the client to a different server. Therefore, Logan et al., in handling the failure scenario, teaches a different method than that recited in claim 1.

Accordingly, Applicant submits that claim 1 is patentable and in condition for allowance.

Claims 2 - 18 each depend from claim 1 and recite further limitations therefrom. Accordingly, Applicant submits that these claims are patentable as well.

In addition, the limitations in the dependent claims are not taught by Logan et al. For example, claim 6 recites that the content served by the network comprises content embedded in a document to be served to the client, and the step of redirecting the client to the chosen network further comprises rewriting references to the embedded content before serving the document to the client. The Examiner asserts that column 3, lines 49 - 55 teach this limitation. However, in that portion of Logan et al., they merely discuss how IP addresses are confusing for users and how hostnames are related to IP addresses using a top-level domain. There is no teaching regarding "rewriting references to embedded content" as is recited in claim 6. Nothing in Logan et al. relates to rewriting a reference to embedded content. Therefore, Applicant submits that claim 6 is patentable for this additional reason. Further, claims 7 - 10 depend from claim 6 and inherit this limitation as well as the limitations of claim 1 that render it patentable. Therefore, these claims are patentable for these additional reasons.

Claim 19 recites a brokering domain name server that comprises a domain name system engine and a policy module that directs the engine to answer domain name system queries in accordance with a policy which resolves a domain name to a server in a content distribution network chosen from a plurality of content distribution networks. The Examiner asserts that column 5, lines 3 - 28 teach this limitation. Applicant traverses this conclusion and submits that Logan et al. teach a different method.

For example, Logan et al. teach in column 5 (referencing column 4 as well, lines 47 - 67) that a virtual-IP (VIP) address is a set of IP addresses any one of which could satisfy web-based content and service demands associated with a URL. The VIPs are associated, not with hosts containing content, but with switches in the network. For example, if a client device submitted a domain name server query, Logan et al. teach responding with a set of VIP addresses associated with the switches in the network. The hosting server computers having regular IP addresses exist at a geographically diverse server. The client then is able to use the set of VIP addresses and open up a connection to one of the VIP addresses which actually runs at a distributed-server switch. The host computers then serve up content to the VIP at the switch which forwards the content to the client. The client does not know that the VIP is not a real IP address of the host.

Logan et al., in column 5, teach that a policy is established that distributes the available resources to the users needing service. The VIP running on the various switches are selected based on factors such as response times and so forth. The servers communicate with the end user client through their associated switches, where the client communicating with the virtual IP address associated with the switch. As is understood according to the VIP address disclosure of Logan et al., the VIP address is not an address of a content server but a virtual IP address of a switch. The user is never directed to a domain name of a server in a content distribution network chosen from a plurality of content distribution networks. The user in Logan et al. is directed to a virtual IP address associated with a switch and to which a server directs content.

Therefore, while claim 19 requires a policy module to answer domain name system queries by resolving a domain name to a server in a content distribution network chosen from a plurality of content networks, Logan et al. teach resolving a client request with a virtual IP address at a switch. There is clearly a difference in the approaches of claim 19 and Logan et

al. For this reason, Applicant submits that claim 19 is patentable and in condition for allowance.

Claims 20 - 22 each depend from claim 19 and recite further limitations therefrom. Accordingly, these claims are patentable as well.

Claim 23 recites a method of redirecting content requests between content distribution networks. The method comprises answering a domain name lookup request in a manner such that a subsequent request for content will be served by the chosen content distribution network. The Examiner asserts that column 4, lines 1 -16 of Logan et al. teach this limitation. Applicant traverses this rejection and submits that Logan et al. merely teach in this portion of the reference that a local domain name server can store IP-addresses for hosts that were previously requested through the local server. Then, according to Logan et al., a later request for that host's IP address could be available at the local server instead of needing to perform a query to a domain name server higher in the DNS hierarchy.

This teaching in Logan et al., however, fails to teach the same concept as that recited in claim 23. Claim 23 requires, in response to a content request, choosing one of a plurality of content distribution networks to server content and answering the domain name lookup request so that subsequent requests can be served by the chosen content distribution network. The content distribution network is just that, a network. This is in contrast to a "host" that has an IP address associated with a URL. Logan et al. do not deal with the concept of choosing a content distribution network and then answering a domain name lookup request to insure that later requests will be served by the same content distribution network. Logan et al. merely teach keeping a list of URLs and IP addresses on a local domain name server for later matching of a request to the IP address of a host.

Furthermore, the first step of claim 23 requires receiving a domain name lookup request for content served by a plurality of content distribution networks. Col. 4, lines 1 -16 of Logan et al. only teach about a single mapping of a URL to an IP address of a host.

Therefore, they do not contemplate in this portion of the reference how to manage a plurality of content distribution networks. The portion of Logan et al. cited by the Examiner in col. 5, lines 45 - 59 focus on the VIP aspect of their disclosure should not be blended with the local domain name server disclosed in col. 4.

Therefore, for several reasons, Applicant submits that claim 23 is patentable and in condition for allowance.

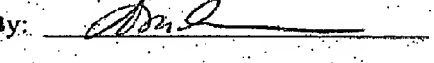
Claim 24 includes the step of rewriting a document that contains one or more embedded content references to point to content stored at the chosen content distribution network. The Examiner asserts that column 3, lies 18 - 22 teach this limitation. Applicant traverses this assertion and respectfully submits that this portion of Logan et al. only mentions using a hand-off table associated with a domain to choose a next remote server based on several factors. There is no mention of "rewriting" a document as is required by claim 24. Logan et al. merely require referencing the table to make decisions regarding which server to choose. Applicant submits that Logan et al. clearly do not teach claim 24; therefore, this claim is patentable and in condition for allowance.

## CONCLUSION

Having addressed the rejection of claims 1 - 24, Applicant respectfully submits that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

Date: February 4, 2005

By: 

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